

BILL NO. 79-31

LIBER 5 PAGE 400  
COUNTY COUNCIL

OF

HARFORD COUNTY, MARYLAND

BILL NO. 79-31

Introduced by Council President Hardwicke at request of County Executive

Legislative Day No. 79-20

Date: June 19, 1979

AN EMERGENCY ACT to authorize and empower Harford County, Maryland, to borrow funds for the purpose of supplementing the Sod Run Wastewater Treatment Plant Expansion Capital Project; to provide that the loan period shall not exceed twelve (12) months; to provide that the County shall issue and sell bonds in order to repay the loan over a period greater than twelve (12) months.

By the Council, June 19, 1979

Introduced, read first time, ordered posted and public hearing scheduled

on: July 17, 1979

at: 7:30 P.M.

By Order: Angela Markowski, Secretary

#### PUBLIC HEARING

Having been posted and Notice of time and place of hearing and Title of Bill having been published according to the Charter, a public hearing was held on July 17, 1979 and concluded on July 17, 1979.

Angela Markowski, Secretary

120120

BILL NO. 79-31

1 WHEREAS, as part of the capital budget and capital  
2 program for the fiscal year ending June 30, 1979, it is necessary  
3 that Harford County, Maryland, be authorized to borrow monies in  
4 addition to those authorized by Council Bill No. 78-83 for the  
5 construction, renovation, repair, improvement, extension, altera-  
6 tion and modernization of the Sod Run Wastewater Treatment Plant  
7 in Harford County; and

8 WHEREAS, Council Bill No. 78-32, as amended, authorizes  
9 Harford County to expend certain funds on water and sewer capital  
10 projects; and

11 WHEREAS, the County Council of Harford County has  
12 authority to incur debts on behalf of the County; and

13 WHEREAS, the County Council of Harford County is hereby  
14 authorized to enact legislation adopted in accordance with  
15 Section 524 of the Charter of Harford County, Maryland, and other  
16 applicable provisions of law to borrow funds and issue debt  
17 instruments, and to levy annually ad valorem taxes upon the  
18 assessable property within the County sufficient, together with  
19 other taxes and other available funds, to provide for the payment  
20 of the interest on and principal of any bond so issued; and

21 WHEREAS, the proposed indebtedness is within the legal  
22 limitation on the indebtedness of Harford County, Maryland; and

23 WHEREAS, it is necessary to provide funds for the Sod  
24 Run Wastewater Treatment Plant Project in Harford County,  
25 Maryland; and

26 WHEREAS, additional appropriation and funding authority  
27 is necessary in order for Harford County to be able to accept  
28 grant offers from the U.S. Environmental Protection Agency for  
29 the Sod Run Project; and

30 WHEREAS, new grant offers from the U.S. Environmental  
31 Protection Agency were not anticipated by Council Bill Nos. 78-83  
32 and 78-32, therefore necessitating additional funding authorization.

1 NOW, THEREFORE, in accordance with the provisions of the  
2 Charter of Harford County, Maryland:

3 Section 1. *Be It Enacted By The County Council Of Harford County,*  
4 *Maryland,* that Harford County, Maryland, is hereby authorized and  
5 empowered to borrow on its full faith and credit One Million One  
6 Hundred Seventy-Eight Thousand Three Hundred Eight Dollars  
7 (\$1,178,308.00) in the aggregate from appropriate lending  
8 institutions in the State of Maryland, the proceeds thereof to  
9 be used as provided for in this Act.

10 Section 2. *And Be It Further Enacted,* that Harford County shall  
11 issue and sell from time to time upon the full faith and credit of  
12 Harford County, Maryland, in the manner hereinafter provided, an  
13 amount not exceeding One Million One Hundred Seventy-Eight  
14 Thousand Three Hundred Eight Dollars (\$1,178,308.00), aggregate  
15 principal amount of its notes or other evidence of indebtedness,  
16 the net proceeds of such sale to be used to finance the cost of  
17 construction, renovation, reconstruction, repair, improvement,  
18 extension, site acquisition, alteration and modification, including  
19 preparation of plans, drawings and specifications, development of  
20 ground and landscaping thereof and all customary appurtenances and  
21 equipment necessary for the Sod Run Wastewater Treatment Plant  
22 Project. The net proceeds of such notes or other indebtedness may  
23 also be used to finance any lawful modification of such Projects,  
24 or, to the extent then permitted by law, any other project lawfully  
25 undertaken by Harford County, Maryland, as may be provided by  
26 subsequent resolution or resolutions approved by the Harford County  
27 Council.

28 Section 3. *And Be It Further Enacted,* that the Treasurer of Harford  
29 County, Maryland, prior to the issuance of any such notes or other  
30 evidence of indebtedness by the County, shall present the terms of  
31 such indebtedness to the County Council for approval by resolution  
32 of the County Council prior to the issuance of such notes or other  
33 evidence of indebtedness.

1 Section 4. *And Be It Further Enacted*, that such notes or other  
2 evidence of indebtedness shall not have a maturity in excess of  
3 twelve (12) months from the date of issue. The Treasurer shall  
4 negotiate with two (2) or more lending institutions for the best  
5 terms for the notes or other evidence of indebtedness.

6 Section 5. *And Be It Further Enacted*, that the notes or other  
7 evidence of indebtedness shall bear interest at the rate or rates  
8 so negotiated by the Treasurer, and approved by resolution of the  
9 County Council of Harford County, and the notes or other evidence  
10 of indebtedness when issued shall be issued in the name of  
11 Harford County by the signature of the County Executive of Harford  
12 County, Maryland, the corporate seal of the County shall be  
13 imprinted on such notes, and such notes or other evidence of  
14 indebtedness shall be attested by the manual signature of the  
15 Director of Administration of Harford County, Maryland.

16 Section 6. *And Be It Further Enacted*, that immediately after the  
17 sale of the notes or other evidence of indebtedness and approval  
18 by a resolution of the Harford County Council the proceeds of  
19 sale of such notes or other evidence of indebtedness shall be paid  
20 to the Department of the Treasury of Harford County, Maryland.  
21 The proceeds of the sale of the notes or other evidence of  
22 indebtedness shall be expended only to finance the Sod Run  
23 Wastewater Treatment Plant Project. If the funds derived from  
24 the sale of the notes or other evidence of indebtedness shall  
25 exceed the amount needed for the Project, the excess funds so  
26 borrowed and not expended by the County shall be applied by the  
27 County in the payment of the notes or other evidence of indebtedness  
28 so issued, unless the County Council of Harford County shall  
29 adopt a resolution allocating said excess funds to some other  
30 program in accordance with the laws of Harford County, Maryland.

1 Section 7. *And Be It Further Enacted*, that it is the intent and  
2 sense of the Council that within twelve (12) months from the date  
3 this Act becomes law, bonds be sold and issued by Harford County  
4 upon the full faith and credit of the County for the purpose of  
5 providing funds to finance other capital projects as approved in  
6 the capital budgets for Harford County, Maryland, for the year  
7 ending June, 1979, and to satisfy any notes or other evidence of  
8 indebtedness issued pursuant to the terms and provisions of this  
9 Act, such bonds to be issued prior to the maturity of any notes  
10 or other evidence of indebtedness issued under the provisions of  
11 this Act, and until any such bonds are issued, for the purpose  
12 of paying interest and principal on any notes or other evidence  
13 of indebtedness issued hereunder, there is hereby levied and there  
14 shall hereafter be levied in each fiscal year that any of the  
15 notes are outstanding, ad valorem taxes on real and tangible  
16 property and intangible property subject to taxation by the County  
17 without limitation of rate or amount and, in addition, upon such  
18 other intangible property as may be subject to taxation by the  
19 County within limitations prescribed by law, in an amount  
20 sufficient together with funds available from other sources, to  
21 pay the annual interest on the outstanding notes or other  
22 evidence of indebtedness as they mature; and the full faith and  
23 credit and unlimited taxing; the power of the County is hereby  
24 irrevocably pledged to the punctual payment of the principal and  
25 interest on the notes and other evidence of indebtedness as and  
26 when they mature. Harford County, Maryland, by the passage of this  
27 Act, hereby covenants and agrees properly and promptly to perform  
28 all other respective acts and duties as defined in the Act for  
29 the levy and collection of the aforesaid ad valorem tax upon all  
30 the assessable property within the corporate limits of Harford  
31 County, Maryland, as the levy and collection of such a tax becomes  
32

1 necessary in order to pay the principal and interest on the notes  
2 or other evidence of indebtedness issued hereunder. By this Act,  
3 the Harford County Council hereby solemnly covenants and agrees  
4 with the holder of the notes or other evidence of indebtedness from  
5 time to time to take all action which the Harford County Council  
6 may be legally authorized and empowered to take in order to  
7 enforce in any year in which any of the notes are outstanding the  
8 guarantee of such notes by Harford County, Maryland.

9 Section 8. *And Be It Further Enacted*, that this Act is hereby  
10 declared to be an Emergency Act, necessary for the County to  
11 accept grant funds for a vital sewer project.

12  
13 Effective: July 18, 1979  
14  
15  
16  
17  
18

19 The Secretary of the Council does hereby  
20 certify that fifteen (15) copies of this bill  
21 are immediately available for distribution to  
22 the public and the press.

23 Charles W. [Signature]  
24 Secretary  
25  
26  
27  
28  
29  
30  
31  
32

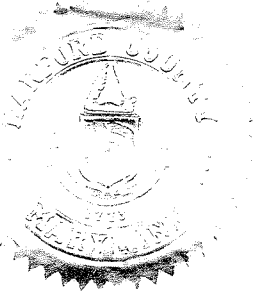
LIBER 5 PAGE 406

BY THE COUNCIL

Read the third time.

Passed LSD 79-23 (July 17, 1979) ~~XXXXXXXXXXXXXXXXXXXX~~ (with amendments)~~Failed~~ of Passage \_\_\_\_\_

By order

Angela Markowski *ap*, SecretarySealed with the County Seal and presented to the County Executive  
for his approval this 18th day of July, 19 79  
at 3:00 o'clock P.M.Angela Markowski *ap*, Secretary

BY THE EXECUTIVE

APPROVED:

Thomas J. Garrange  
County Executive  
Date 7/18/79

BY THE COUNCIL

This Bill, having been approved by the Executive and  
returned to the Council, becomes law on July 18, 1979.Angela Markowski *ap*  
Angela Markowski, Council Secretary

EFFECTIVE DATE: July 18, 1979

Rec'd & Recorded 8/1 1979 at 3:20 P.M.  
HDC Liber 5 Folio 400 & examined per  
H. Douglas Chilcoat, Clerk, Harford Co.